

Application No.: 10/057,959Docket No.: 30012961-2US (1509-269)REMARKS

The claims have been amended in order to correct obvious clerical errors. Entry is in order because the amendments merely cure formal matters. The amendments do not require a new search or consideration of new issues. The amendment was not previously made because Attorney for Applicant recently became aware of the clerical errors as a result of his detailed consideration of the claims.

This is to acknowledge a telephone conference held on May 23, 2006 between Examiner Sellers and the undersigned Attorney for Applicants. During the telephone conference with the Examiner, Attorney for Applicants stated that he was of the opinion that the references did not disclose the feature of independent claims 1, 10, 11, 12 and 20 for the positional data to be transmitted at a higher bit rate than the audio data. The Examiner's position was that claim 1, and the other independent claims similar to claims 1, 10, 11, and 12 do not sufficiently separate the positional data from the audio data that are transmitted at different bit rates. Attorney for Applicant then raised the issue of claim 23, which requires each of the audio sources to include audio data relating to aural content of an audible source or track and positional data indicative of sound transducers to be responsive to the audio data, wherein the audio data is transmitted at a first data rate, and the positional data are transmitted at a second bit rate that exceeds the first bit rate. The Examiner agreed he had not considered this limitation adequately in the Final Rejection, and it did not appear to be disclosed by the references of record.

Attorney for Applicants advised Examiner Sellers he would consult with his client and decide how to proceed.


Entry of the amendment is in order.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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